

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
IN RE APPLICATION OF ORTHOGEN	:	
INTERNATIONAL GMBH,	:	Case No. 1:23-mc-00152-VSB-KHP
	:	
Petitioner,	:	
	:	
for an order pursuant to 28 U.S.C. § 1782 to	:	
conduct discovery for use in a foreign	:	
proceeding.	:	
-----	X	

**NOTICE OF MOTION TO COMPEL**

**PLEASE TAKE NOTICE** that, upon the Court’s May 14, 2025 order (Dkt. No. 46), the accompanying memorandum of law and exhibits dated June 6, 2025, petitioner Orthogen International GmbH (“Orthogen”) will, pursuant to Rule 45(d)(2)(B)(i) of the Federal Rules of Civil Procedure, move this Court, Hon. Katharine H. Parker, United States Magistrate Judge, in Courtroom 17D of the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, New York, New York, for an order compelling Dr. Douglas Schottenstein and his medical practice, Schottenstein Pain and Neuro PLLC d/b/a NY Spine (together with Dr. Schottenstein, the “Schottenstein Parties”), to comply with the subpoenas issued to them pursuant to the Hon. Vernon S. Broderick’s February 28, 2025 order granting Orthogen’s petition to obtain discovery from the Schottenstein Parties pursuant to 28 U.S.C. § 1782 (Dkt. No. 35).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's May 14, 2025 order, any opposing affidavits or memoranda shall be served on or before June 20, 2025, and any reply papers shall be served on or before June 27, 2025. Dkt. 46.

Dated: June 6, 2025

MORVILLO ABRAMOWITZ GRAND IASON &  
ANELLO P.C.

/s/ Christopher B. Harwood  
Christopher B. Harwood  
Matthew Garry  
565 Fifth Avenue  
New York, New York 10017  
Tel: (212) 856-9600  
Fax: (212) 856-9494  
charwood@maglaw.com  
mgarry@maglaw.com

*Attorneys for Petitioner Orthogen  
International GmbH*